

1 James A. Fry  
4046 Caminito Terviso  
2 San Diego, CA 92122  
Tel: 858.692.4097  
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4 In Pro Per  
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FILED

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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY:  DEPUTY

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 JAMES A. FRY DBA FOX NETWORK  
SYSTEMS,

11 Plaintiff,

12 vs.

13 AZTEC DOBERMAN PINSCHER CLUB  
14 OF SAN DIEGO,

15 Defendants, Third-Party Plaintiff,

16 vs.

17 JAMES A. FRY, dba  
DOBERMANRESQ.COM; and  
18 DOBERMANRESQ INC., a California  
corporation,

19 Third-Party Defendants  
20

CASE NO. 11-CV-1329 BTM POR

ANSWER TO THIRD-PARTY  
COMPLAINT BY THIRD PARTY  
DEFENDANTS JAMES A. FRY dba  
DOBERMANRESQ.COM;  
DOBERMANRESQ INC.

21 Third-Party Defendants James A. Fry dba Dobermanresq.com and Dobermansresq Inc.  
22 answer the Third-Party Complaint by Defendants and Third-Party Plaintiff Aztec Doberman Pinscher  
23 Club of San Diego as follows:

24 Answer

25 1. Defendants deny every implied and express allegations in paragraphs 6, 7, 8, 9, 10,  
26 11, 12, 13, 14, 15, 18, 20, 21, 22, 24, 25, 27, 28, 29, 30, 31.

27 2. Defendants do not have sufficient information or belief to answer paragraphs 1, 2, 3,  
28 4, 5, 19, 26 and on that basis deny every implied and express allegation in such paragraphs.

**Affirmative Defenses**

3. The complaint fails to state valid claims upon which relief can be granted.

4. The claims are barred by the doctrines of waiver, estoppel, unclean hands, failure of consideration or failure to mitigate damages.

Dated:

  
James A. Fry, In Pro Per

1 **Aztec Doberman Pinscher Club of San Diego v. Fry**  
United States District Court Case No.: 11-CV-1329 BTM POR

2 **PROOF OF SERVICE**

3 STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

4 I, the undersigned, whose address is 1320 Columbia Street, Suite 200, San Diego, California  
5 92101, certify:

6 That I am, and at all times hereinafter mentioned was, more than 18 years of age and not a  
7 party to this action;

8 That on August 12, 2011, I served the within: **ANSWER TO THIRD-PARTY**  
**COMPLAINT BY THIRD PARTY DEFENDANTS JAMES A. FRY dba**  
9 **DOBERMANREQ.COM; DOBERMANRESQ INC.** on all interested parties in said action: **SEE**  
**ATTACHED SERVICE LIST**

10 ☐ (VIA U.S. MAIL) I placed ☐ the original [xx] a true copy thereof enclosed in a sealed  
11 envelope(s) addressed as stated on the attached mailing list and placing such envelope(s)  
12 with first class postage fees, thereon fully prepaid, in the United States Mail at San Diego  
on this date following ordinary business practices.

13 ☐ (BY CERTIFIED MAIL) I placed ☐ the original ☐ a true copy thereof enclosed in a sealed  
14 envelope(s) addressed as stated on the attached mailing list and placing such envelope(s),  
certified mail, return receipt requested postage thereon fully prepaid, in the United States  
Mail at San Diego on this date following ordinary business practices.

15 ☐ (BY FACSIMILE TRANSMISSION) I transmitted a true copy thereof via facsimile on all  
16 interested parties to the action for immediate delivery to SEE ATTACHED SERVICE LIST.

17 ☒ (PERSONAL SERVICE) Personally served/Delivered to the addressed stated on the  
attached mailing list via DLS Attorney Service.

18 I declare under penalty of perjury under the laws of California that the foregoing is true and  
19 correct.

20 Dated: August 12, 2011

  
Veronica Collins

SERVICE LIST

Pamela J. Scholefield  
Scholefield, P.C.  
501 West Broadway, #1770  
San Diego, CA 92101  
Tel: 619.544.0086  
Fax: 619.544.0045  
[pam@construction-laws.com](mailto:pam@construction-laws.com)  
Attorney for Plaintiff Aztec Doberman Pinscher Club of San Diego